

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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SHONDELL KILLEBREW,

Plaintiff,

v.

JUDY P. SMITH, J. ZANON, S. MUSHA,  
HANS KUSTER, E. NORMAN,  
AND T. IKERT,

Defendants.

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ORDER

Case No. 15-cv-052-jdp

On February 2, 2015, I entered an order in this case directing plaintiff to submit a \$0.91 initial partial payment of the filing fee. Subsequently, plaintiff submitted three letters asking the court to waive the initial partial filing fee. (Dkts. ##6, 7, 8)

Because this court is bound by the provisions of the Prison Litigation Reform Act, 28 U.S.C. § 1915, which requires a partial payment, and because it is clear plaintiff's initial partial payment was calculated correctly pursuant to these provisions, plaintiff's motion for the court to waive the \$0.91 initial partial filing fee in this case must be denied.

From his letters, it is clear that plaintiff does not believe he can make even a \$0.91 payment from the funds currently available in his prison account. Because plaintiff may be able to make the payment if he has more time, I will extend the payment to March 17, 2015. If, plaintiff does not make the \$0.91 payment, then I will conclude that plaintiff has withdrawn this action.

ORDER

IT IS ORDERED that:

1. Plaintiff's requests for the court to waive the initial partial payment in this case (dkts. #6, 7, 8) are DENIED.
2. Plaintiff may have an enlargement of time to March 17, 2015, in which to submit a check or money order payable to the clerk of court in the amount of \$0.91. If, by March 17, 2015, plaintiff fails to make the initial partial payment, the clerk is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 26th day of February, 2015.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge